

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

FREDDIE T. MCLAURIN,

Plaintiff,

-vs-

Case No. 15-CV-1549

A3 PCTs,

Defendants.

DECISION AND ORDER

The *pro se* plaintiff is confined at the Wisconsin Resource Center. As directed by the Court's March 1, 2016, order screening the original complaint, the plaintiff has filed an amended complaint clarifying his claim that officers identified as "A3 PCTs" yelled at him, harassed him, and locked him out his cell. Plaintiff alleges that these incidents happened "last year" and that they harassed him "because of my color." (Docket 11 at 2.) The Court finds that the plaintiff may proceed on his claim under the Eighth Amendment. See *Hughes v. Farris*, 809 F.3d 330, 334 (7th Cir. 2015); *Beal v. Foster*, 803 F.3d 356, 357-58 (7th Cir. 2015).

However, the plaintiff has not yet named any individual defendants. Presumably, this is because he does not know the names of the "PCTs" who allegedly harassed him. Under these circumstances, the Seventh Circuit has directed that the Court may "allow the case to proceed to discovery

against high-level administrators with the expectation that they will identify the officials personally responsible[.]” *Donald v. Cook Cnty. Sheriff’s Dep’t*, 95 F.3d 548, 556 (7th Cir 1996). Therefore, the Court will order service of the amended complaint on Wisconsin Resource Center Director Byran Bartow. Director Bartow shall notify the Court once he has been served.¹ At that time, the Court will set deadlines for the plaintiff to conduct limited discovery as to the names of the “A3 PCT” defendants and to file a second amended complaint. Once individual defendants have been identified, the Court will dismiss Director Bartow.

NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY ORDERED THAT pursuant to an informal service agreement between the Wisconsin Department of Justice and this court, copies of plaintiff’s amended complaint (Docket 11) and this order are being electronically sent today to the Wisconsin Department of Justice for service on Wisconsin Resource Center Director Byran Bartow.

IT IS ALSO ORDERED that Director Bartow shall notify the Court once he has been served.

IT IS ALSO ORDERED that Wisconsin Resource Center Director

¹ Director Bartow need not file an answer to the amended complaint.

Byran Bartow's involvement in this case is limited to identification of the defendants and that he will be dismissed once the "A3 PCT" defendants have been named.

Dated at Milwaukee, Wisconsin, this 5th day of May, 2016.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge